

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ABBOTT DIABETES CARE INC.,

No. C05-03117 MJJ

Plaintiff,

**ORDER VACATING OCTOBER 31, 2005  
ORDER (DOCKET NO. 65)**


v.

ROCHE DIAGNOSTICS CORP.,

Defendant.

On October 28, 2005, the parties to this case erroneously filed a stipulation entitled "Joint Stipulation Concerning Deadline for Parties to File Opening and Opposition Briefs on Claim Construction" (Docket No. 64). On October 31, 2005, the Court granted the stipulation. (*See* Docket No. 65). The Parties have requested that the Court's October 31, 2005 Order be vacated as it was filed in error. Accordingly, the Court's October 31, 2005 Order (Docket No. 65) is hereby **VACATED.**  
**IT IS SO ORDERED.**

Dated: November 1, 2005

  
MARTIN J. JENKINS  
UNITED STATES DISTRICT JUDGE